

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) No. 3:08-CR-88
V.) (PHILLIPS/SHIRLEY)
)
ANTHONY GULLEY,)
)
Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. On May 26, 2009, the parties came before the Court for a hearing on the Defendant's numerous pretrial motions [Docs. 28, 29, 30, 31, 32, 34, 35, 36, and 37]. Assistant United States Attorney David Lewen appeared on behalf of the Government. Attorney Randall E. Reagan appeared on behalf of the Defendant, who was also present.

At the hearing, Attorney Reagan informed the Court that the Defendant had just executed a plea agreement with the Government and, on behalf of the Defendant, he moved to withdraw the pending motions as moot. Attorney Reagan stated that he had discussed the matter with his client, who believed it was in his best interest to enter a plea and withdraw the motions. The Defendant confirmed that he understood that the motions were being withdrawn because of the plea and would be summarily denied as moot. The Government had no objection to the withdrawal of the motions.

In light of the agreement that the parties have entered into, the pretrial motions [Docs. 28, 29, 30, 31, 32, 34, 35, 36, and 37] that have been filed in this case are now moot. The Court finds that the Defendant's oral motion to withdraw his pending motions is well-taken, and it is **GRANTED**. Accordingly, the pretrial motions [**Docs. 28, 29, 30, 31, 32, 34, 35, 36 and 37**] are **DENIED AS MOOT**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge